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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2685

PATENT
0033-0619P

2d Ext
Appeal
3 day
O

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: SATO, Hiroya et al. Conf.: 4024
Appl. No.: 09/400,974 Group: 2685
Filed: September 22, 1999 Examiner: L. Le
For: MILLIMETER BAND SIGNAL
TRANSMITTING/RECEIVING SYSTEM HAVING
FUNCTION OF TRANSMITTING/RECEIVING
MILLIMETER BAND SIGNAL AND HOUSE
PROVIDED WITH THE SAME

RECEIVED

MAR 10 2004

Technology Center 2600

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 8, 2004

03/10/2004 BABRAHA1 00000053 09400974

01 FC:1401 330.00 OP
02 FC:1252 310.00 OP

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 8, 2003 of the Primary Examiner finally rejecting claims 1-40.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of two (2) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of one (1) month(s) for responding to the Final

Rejection was previously requested and paid for on February 6, 2004. Thus a fee of \$310.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$330.00
 Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$640.00.

Payment of the above TOTAL FEE is being made in the following manner:

- Check(s) in the amount of \$640.00 is/are enclosed.
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Charles Gorenstein

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0033-0619P

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